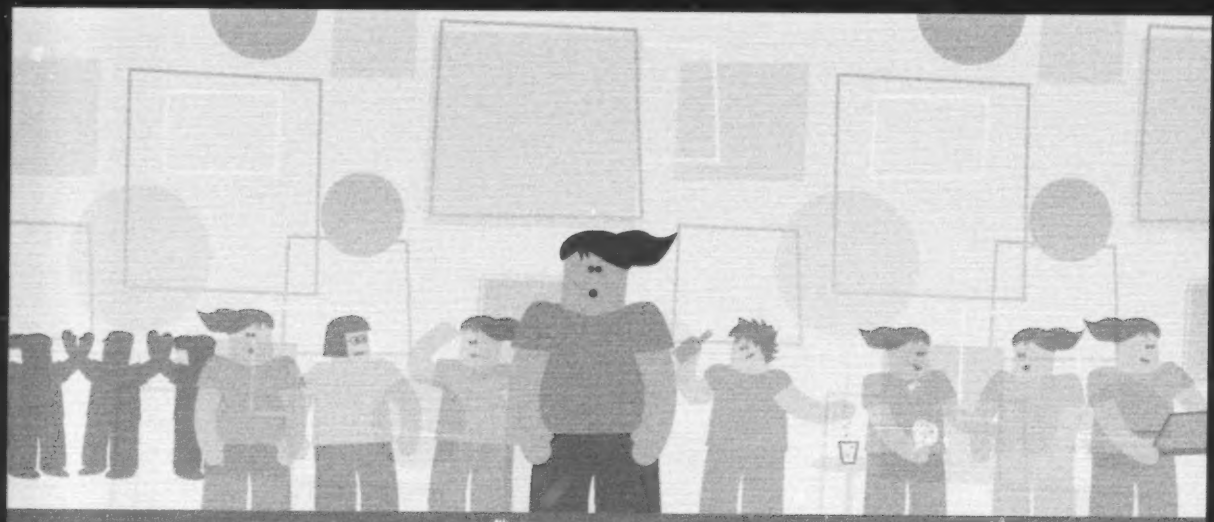

sexual assault

A help book for teens in the Northwest Territories

Northwest Territories

acknowledgements

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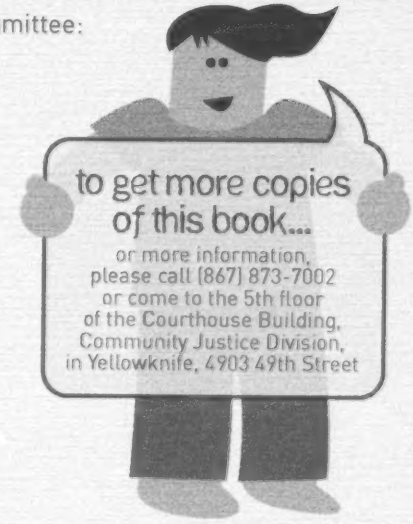
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This publication provides teenagers with information about sexual assault in the Northwest Territories. It is not a legal document and is not meant to replace legal advice.

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Has a stranger or friend ever tried to get you to do something sexual that you didn't want to do? Have you ever wondered what might happen in court if you are a witness? Have you ever needed someone to talk to about it, but not known where to go? If you answered "yes" to any of these questions, then this book may be able to help you.

Sexual abuse is always wrong. Most victims of sexual abuse know the person who hurt them. It's often a family member, friend or date.

This book will tell you how to:

- Get help, if you're a victim of sexual abuse
- Help a friend who is a victim of sexual abuse
- Help a friend who has become sexually violent
- Keep safe from sexual abuse

There are a lot of different sexual crimes and people use different words to talk about them. Sometimes people use one word that can describe many different things or a person might use a word that you understand to mean something else. To help you understand what we are talking about in this book, here are some definitions:

sexual assault

Sexual assault is a crime and is a specific type of sexual abuse. Sexual assault is any type of sexual contact without consent. This includes unwanted touching, kissing, grabbing and rape.

sexual abuse

This includes many different crimes, like unwanted touching, forced prostitution and rape. Sexual abuse is not about love. It's about violence. People who sexually abuse other people do it to gain power and control over the other person. It is always wrong.

victim

A victim is a person who has been wrongfully harmed by someone else. The word victim means that something happened to the person. It does not mean that he or she is weak or damaged or responsible for what happened.

perpetrator or abuser

A perpetrator or abuser is a person who has wrongfully harmed someone else. While the perpetrator may be a stranger or someone you have met once, it will most likely be a friend or family member. It is important to know that a person can be both a victim and a perpetrator. A person can be harmed by one person and still be responsible for abusive behaviour against other people.

accused

This is a word that is used in the criminal justice system to refer to the person who has been charged with a crime.

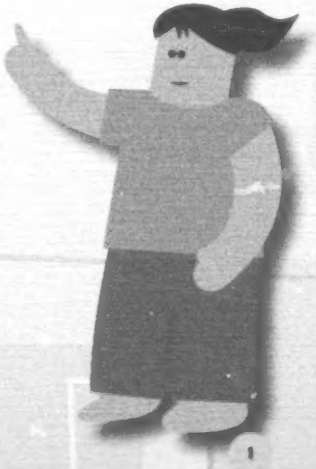


table of contents

part 1
relationships

Healthy Relationships 3
Dating Violence 4
You and the Internet 6

part 2
sexual assault

What is Sexual Assault? 7
Date Rape 8
Sexual Abuse in the Family 9
Consent 10
Drugs, Alcohol and Sexual Assault 12
Drug-Facilitated Sexual Assault 12
Keeping Safe 13

part 3
getting help

Getting Help 14
Your Feelings 15
Talking to Someone 16
Reporting Sexual Assault 18
Talking to the RCMP 20
What is Evidence? 22
Getting Medical Attention 23
Talking to Victim Services 24

part 4
the law and
sexual assault

What You Should Know 26
Sexual Offences / Sexual Abuse 27
You and the Law 28
Going to Court 29
Being a Witness 31
What Might Happen in Court 32

part 5
beyond court 34

part 6
help directory 35

RELATIONSHIPS part 1

healthy relationships

Healthy relationships come in all shapes and sizes. Two teenage partners may be of the same or different cultural background and they may be of the same or different sexes. Their relationship may or may not include sexual activity. But all healthy intimate relationships have FIVE things in common:

Trust

You trust each other. This does not mean that you never, ever feel jealousy, but that you do not feel suspicious about your partner's intentions, actions or feelings.

Respect

You respect each other as individuals and as human beings. You value the ways you are the same and different. You are both free to make choices about your own lives. You consider the other person's feelings when making decisions.

Affection

You show each other affection in ways that you both are comfortable with.

Intimacy

You share a closeness that makes your relationship different than your other close relationships. This may include sharing private thoughts, hopes and dreams, or sexual activity.

Companionship

You have some things in common and you enjoy spending time together doing a variety of activities.

dating violence

Some teens are victims of violence in their personal relationships. Dating violence can be a single incident or a pattern of behaviour used by one person to get control over the other. Wanting and taking control is no accident: it is done on purpose and it hurts the other person.

People often use excuses and blame their partners when they use violence. But excuses like "I just lost it" or "I was drunk" or "you made me jealous" don't cut it. The fact is that violent people choose when they will be violent and who they will be violent with. This makes it pretty clear that their violence is on purpose. There is never a good reason to be violent. Victims do not cause violence. It's a choice one person makes at the expense of the other.

Here are some examples of violence. Keep in mind some of these things can fall under more than one category and can often happen at the same time:

Threats
threatening you or your friends, family, pets or belongings; threatening suicide if you leave; threatening new friends or potential partners.

Physical abuse
hitting, shoving, kicking, pinching, biting, choking, punching, slapping, or using weapons against you.

Emotional abuse
insults, hurting your feelings, acting like your feelings don't matter; embarrassing you on purpose, telling you what kind of clothes to wear; making fun of your beliefs or culture, trashing your reputation or trying to turn friends against you.

Financial abuse
demanding money, not letting you work or taking the money you earn at a job.

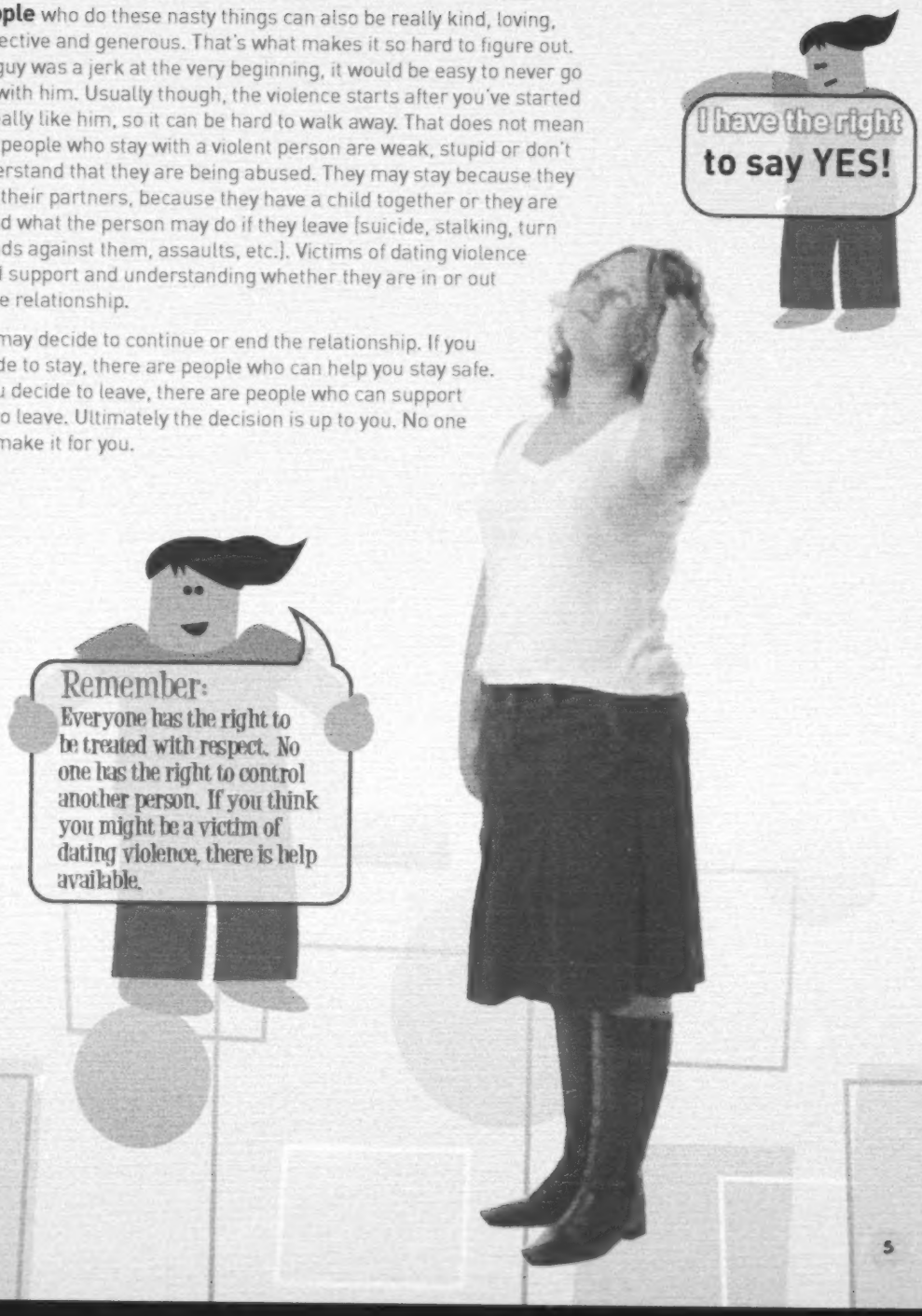
Forcible confinement
using force to isolate you from friends or family; keeping you from going to school or a job, or using force to isolate you or abuse you.

Sexual abuse
any unwanted sexual touching, like forced oral contact, forced vaginal, anal or oral penetration; controlling your decisions about birth control or pregnancy. It's not kissing unless both people agree to it. Forcing your body onto another person isn't sex.

Stalking
following you around; calling, e-mailing or texting over and over or watching your every move.

People who do these nasty things can also be really kind, loving, protective and generous. That's what makes it so hard to figure out. If a guy was a jerk at the very beginning, it would be easy to never go out with him. Usually though, the violence starts after you've started to really like him, so it can be hard to walk away. That does not mean that people who stay with a violent person are weak, stupid or don't understand that they are being abused. They may stay because they love their partners, because they have a child together or they are afraid what the person may do if they leave (suicide, stalking, turn friends against them, assaults, etc.). Victims of dating violence need support and understanding whether they are in or out of the relationship.

You may decide to continue or end the relationship. If you decide to stay, there are people who can help you stay safe. If you decide to leave, there are people who can support you to leave. Ultimately the decision is up to you. No one can make it for you.


I have the right
to say YES!
Remember:
Everyone has the right to be treated with respect. No one has the right to control another person. If you think you might be a victim of dating violence, there is help available.

you and the internet

how to stay safe on the internet

Don't meet with someone you met on the Internet unless: your parents know; you are planning to meet in an open, public space and you bring at least one person you trust with you.

Remember that any information you put about yourself on the Internet could be made public. That includes pictures and personal information you choose to post on a social network.

If someone is making you uncomfortable by sending you sexual messages, asking you to do sexual things or asking to meet with you for sex, tell an adult you trust. When someone does this to you online, it is just as wrong as if they did it in person.

Never give out your personal information over the Internet. That includes your full name, phone number, your bank account information or where you live. If you want someone you meet online to contact you, give them your e-mail address.

Never post or e-mail pictures of yourself or anyone else naked or doing something sexual. You never know where they might end up, and if the person in the picture is under 18, the picture could be considered child pornography. Making, sending or having child pornography is a serious crime.

Trust your instincts: if something doesn't feel right, leave the chat room, close the instant messaging box or block the person who is making you feel uncomfortable.

Remember, people on the Internet are not always who they say they are.

technology safety

Advances in technology have allowed teenagers to become some of the most well-connected people in the world. The Internet and cell phones have changed the way people connect with each other. Social-networking websites, chat rooms, blogs, instant messaging and text messaging provide new ways to express yourself and communicate. These new technologies are fun and convenient, but they bring new risks and teens have to be especially careful using them.

SEXUAL ASSAULT part 2

what is sexual assault?

Sexual assault is forced and unwanted sexual contact of any kind. It is a crime.

Sexual assault is any sexual act without your permission including:

- Being touched in places on your body that you don't want to be touched
- Being forced to touch someone else's body parts
- Being forced or bullied into any unwanted sexual act
- Being threatened into a sexual act, including being threatened by someone who has a weapon

For more definitions of sexual assault, see page 27.

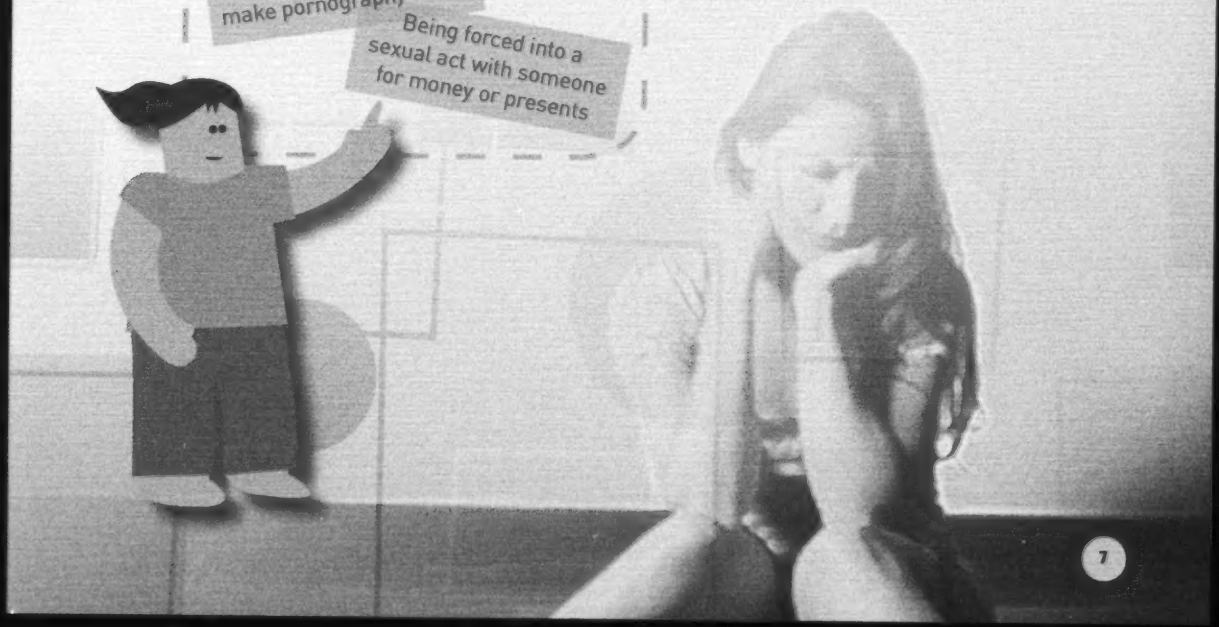
There are some acts that are not sexual assault, but ARE acts of sexual abuse and are still crimes:

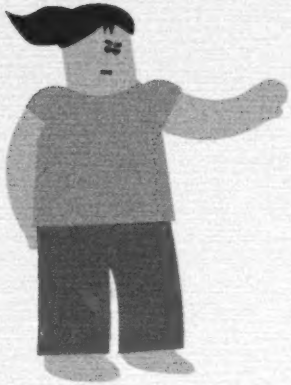
Being forced to watch or make pornography

Being forced into a sexual act with someone for money or presents

A victim does not cause a sexual assault. Victims try to avoid, stop or reduce the harm of the violence in many ways. A victim is never responsible for the other person's violence.

Wearing a certain type of clothing, going to a party or flirting does not give anyone the right to assault you. No one deserves to be assaulted. Remember, it is not the victim's fault that they were assaulted.





date rape

You may have heard the term "date rape" before. Date rape is sexual assault committed against a boyfriend or girlfriend, acquaintance or date. The relationship may be very new or long-term. Sometimes people get confused about what date rape is, because sex between boyfriends and girlfriends is normal and healthy when both partners consent to it. Remember, you can have a normal, healthy relationship without sex, too. Deciding to have sex is an individual decision and always requires the consent of the other person. But sexual assault is never normal, even between two people who love each other. You always have the right to say "no" to something you don't feel comfortable doing, even if you have consented to other things that you do feel comfortable doing.

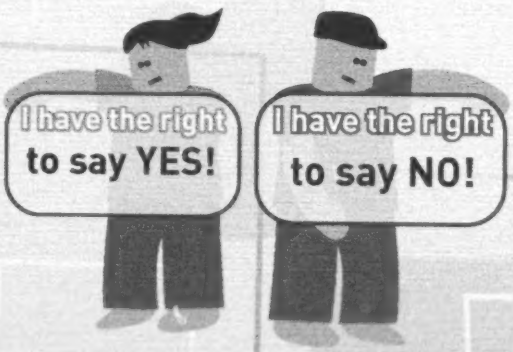
Sexual assault is against the law, even if:

You have consented to sex with that person in the past.

You love the person who assaulted you.

You have consented to some sexual acts, such as fondling, but not others.

The person who assaulted you is your common-law or married partner.



sexual abuse in the family

Sexual abuse within a family can start when a child is very young, sometimes as young as one or two years old. Many victims of sexual abuse are afraid to tell because they don't want their family broken apart and they do not want anyone to get into trouble.

Sometimes sexual abuse might begin with forced touching and then get worse over time.

Victims may often still care about the person who has abused them. They may also feel confused because they may have had some pleasurable feelings or enjoyed extra attention or gifts from the abuser. This does not mean they allowed it or that it is their fault!

Sexual abuse is NOT the victim's fault. The abuser has done something wrong and is responsible for his actions.

Sometimes children and youth are threatened into sexual activity. Sometimes they are told to keep the abuse a secret or they are promised money or gifts. Sometimes they are tricked. Many times, young people are accused of wanting to take part in the sexual activity. They are often accused of asking for it, being a troublemaker or being a bad person. Both boys and girls can be sexually abused.

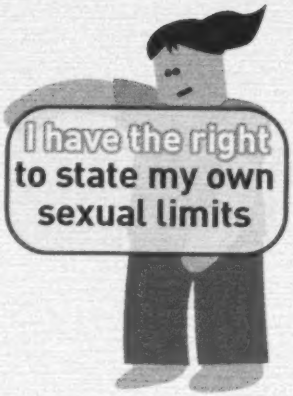
If you were a victim of sexual abuse a long time ago, you may still be able to take the complaint to the police. If you are ready to tell, then you can get help, even if you don't want to get legal help. You can also talk to Victim Services at any time.

consent

If something happens "against your will", it means you did not agree to it – you did not give your permission or consent. Some people are confused by the word "consent".

Consent means giving permission, through words or actions, for something to happen. Remember that just because you didn't say "no", that doesn't mean that you said "yes". Also, consenting to one thing does not mean you consent to everything.

The law says that there are certain people who may not give legal consent and certain situations where it may not be possible to give consent.



Can I give consent if:

It does not matter if the person who assaulted you is your boyfriend or girlfriend, someone you want to have sex with, someone you have had consensual sex with before or if they have assaulted you before. If you do not or cannot give consent, it means that they have committed a crime.

I am drunk or high? NO

I am threatened or bullied? NO

The other person is someone in a position of trust to me (a teacher, religious leader, boss or babysitter)? NO

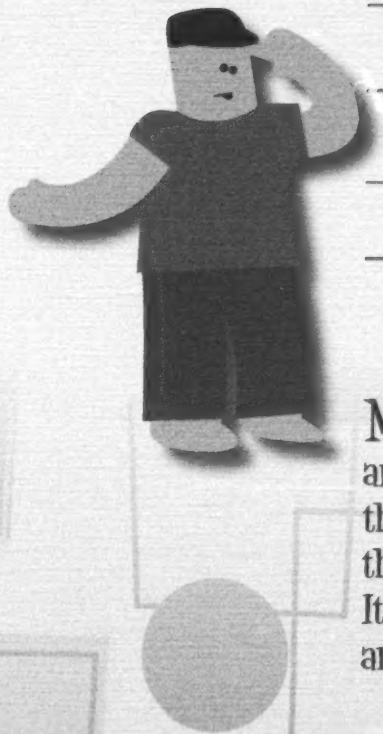
The other person is an older family member (a relative, extended family or foster family)? NO

what if i'm under 16 years old?

According to the Criminal Code of Canada, there are some people who cannot consent to sexual activity based on their age and the age of their partner. The age rules apply to both girls and boys.

This table will tell you who you can consent to vaginal or oral sex with, based on your age and your partner's age:

Younger partner's age	Younger partner can consent if...
Under 12 years old	No consent possible
12-13 years old	The older partner is less than 2 years older than younger partner
14-15 years old	The older partner is less than 5 years older than younger partner
16 years old or older	The older partner is any age



Many victims who are assaulted by a partner are confused about what to do. They may love the person who assaulted them, and not want them to get into trouble or to be mad at them. It's normal to be confused and not ready to tell anyone about what happened right away.

drugs, alcohol and sexual assault

Many acts of sexual assault involve drinking or doing drugs. Sometimes one person will sexually assault another after both have gotten drunk or high together. After the victim has passed out, the other person assaults the victim while he or she is unable to say "no". (Remember – not saying "no" isn't saying "yes"!). This type of crime is a common form of sexual abuse in the NWT.

Even if you couldn't consent because you were drunk or high, an assault is still a crime. If the person who assaulted you was drunk or high, it is still wrong and a crime.

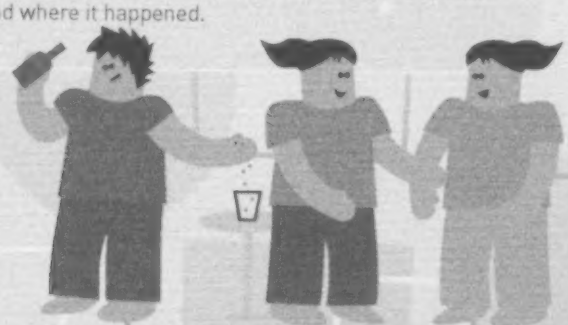
Alcohol and drugs do not cause violence and should never be used as an excuse for violence.

What you do or don't do does not change what the violent person did.

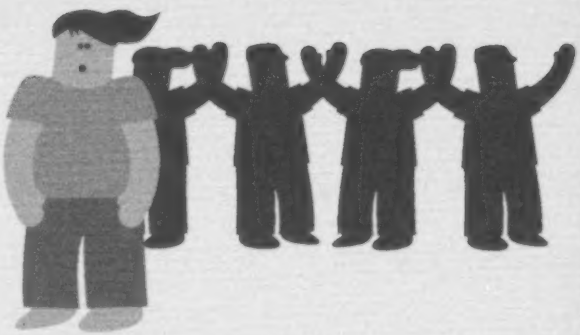
drug-facilitated sexual assault

A person may use a drug or alcohol in order to sexually assault another person. They may spike another person's drink to get control over them. To spike a drink, these people use drugs that are usually colourless, odourless and tasteless so that the victim doesn't realize that their drink has been spiked.

Some drugs that are used to spike drinks include: Rohypnol, GHB and Ketamine. These drugs can cause drowsiness, memory loss, and loss of consciousness. When mixed with alcohol, these drugs can be very dangerous. If you think that you may have been drugged, it is important to go to the doctor or health centre as soon as possible, so that the doctor or nurse can do the appropriate tests to make sure that you are taken care of. It is also important to tell the RCMP what you remember and where it happened.



keeping safe



Being drunk or high on drugs makes it difficult to judge dangerous situations, or to be in control of what happens to you. You may not be able to stop an assault from happening even if you are sober, but there are some things you can do to be safe. Here are some tips for keeping yourself safe when you and your friends go to a party:

Trust your instincts.

Don't leave your friends at a party if it doesn't seem safe.

Have one friend stay sober to drive and watch out for everyone else.

Set a limit on how many drinks to have.

Use a buddy system.

If you are planning to drink or do drugs with others, make a plan to keep yourself safe.

Let an adult know where you are going and when you plan to be back.

Keep your drink with you at all times. Take it with you on the dance floor or to the bathroom. If you have left your drink unattended for any amount of time, get a new one.

Open your own beer bottles and mix your own drinks.

If you can't make it home by yourself, get a friend you trust to take you home.

If you feel uncomfortable with the way someone is treating you, leave.

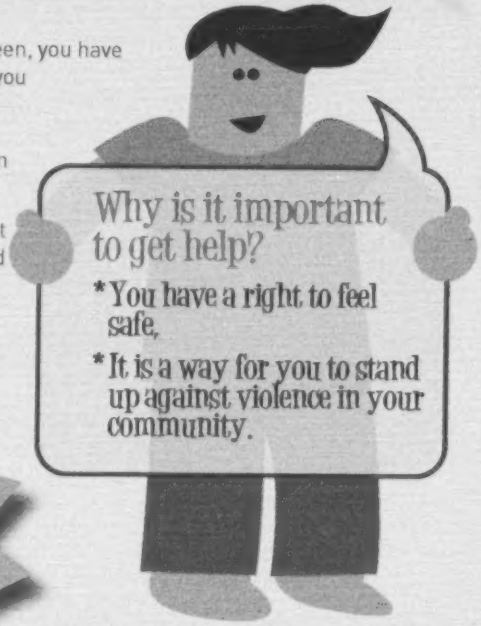
If you think that you are in danger, yell or shout for help or use your cell phone to call the RCMP.

If you are in danger, try to get away safely, if possible.

GETTING HELP part 3

If you have been sexually assaulted, or think you have been, you have the right to get help. Talk to someone who will listen to you and give you support. There are lots of different people in your community who can support you, like teachers, principals, school counsellors, community nurses, victim services workers, and friends.

Sometimes it is hard to decide what to do first. You might want to wait, or forget about it, or you might be too afraid to do anything. This part of the book can help you with some of these decisions.


Why is it important to get help?
* You have a right to feel safe.
* It is a way for you to stand up against violence in your community.

If you are under 16 years old, and you decide to tell someone like a teacher or nurse about the assault, they are required to report it to the police.

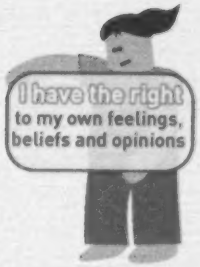
You have a right to get help because...

- Sexual assault is a crime
- No one has the right to touch any part of your body without your consent
- It can help to sort out your feelings about the assault so you can feel better about yourself
- What happened to you is not your fault. You did not cause the assault.

You might be afraid to tell someone because...

- You think no one will believe you
- You think it was your fault
- You think that you weren't hurt and that it wasn't all that serious
- You know or are related to the person who did it
- The person threatened you or someone close to you
- You were passed out and don't remember everything that happened

your feelings after the assault



There is no right or wrong way to feel. Everyone responds to and deals with situations differently. At first, you might feel:

Embarrassed
"I don't know what to do" or "I don't want anyone to know."

Shocked
"I don't feel anything."

Denial
"It wasn't that big of a deal."

Angry
"I just want to kill him."

Confused
"I really like him, but how could he do this to me?"

Guilty
"I shouldn't have been there. This must be my fault."

Scared
"I'm afraid that the community will find out" or "I'm afraid to be alone."

As time passes, your feelings about the assault may change:

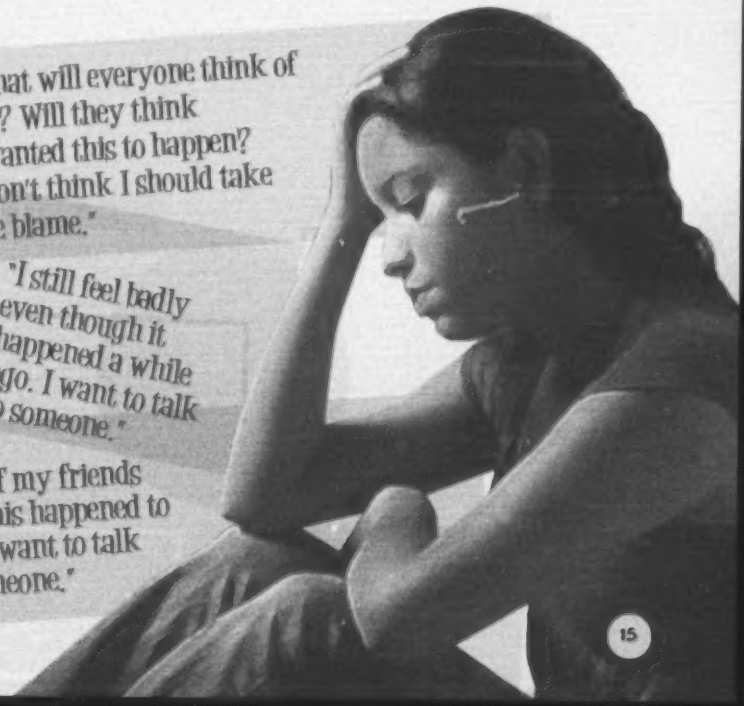
"I wish I could talk to someone, but how do I start? No one will believe me."

"What will everyone think of me? Will they think I wanted this to happen? I don't think I should take the blame."

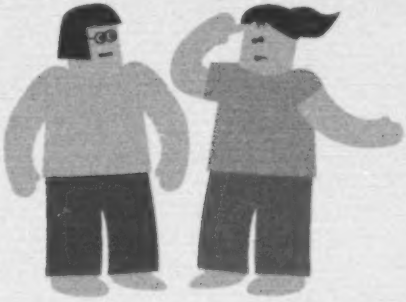
"I still feel badly even though it happened a while ago. I want to talk to someone."

"I thought it was my fault, but now I don't think I did anything wrong. I want to report this to the police."

"One of my friends said this happened to her. I want to talk to someone."



talking to someone



If someone has hurt you, you may want help to deal with these things. Talking to someone is important. Telling someone what happened is a way to start dealing with the abuse. Even though this is important, it is not always easy.

Here are some things to think about if you want help:

Talk to someone you know and trust. If that person can't give you the help you need, keep searching for someone who will listen to you.

Someone you know and trust might not be able to help you because they cannot deal with the abuse. This does not mean they do not care. Abuse is often very difficult for some people to understand or talk about. **You need to talk to someone** who can deal with this problem.

When violent people are not held responsible for their actions, they are allowed to keep hurting others. **Most violent people will continue being violent until they are made to stop.**

You might be afraid to tell because you think no one will believe you. Abuse is difficult for some people to believe.

You might think you are the only one who has been abused. **You are not alone.** There are many other children, teenagers and adults who have been abused.

It might be hard to tell someone what has happened. You might want to **write about it in a letter to a friend** or in your journal or diary. Give people enough information so they can help you.

There may be a lot of reasons why you don't want to tell, but **whatever you decide to do is your choice.**

friends helping friends

What can you do when someone tells you they have been abused?

Listen to your friend.

Believe your friend.

If your friend tells you to keep this a secret, ask why, and listen carefully to the reasons.

Tell your friend that this is not her fault.

You cannot help your friend by yourself. Your friend cannot stop the abuse on their own. There are other people who can help. If this is kept a secret, then no one can help.

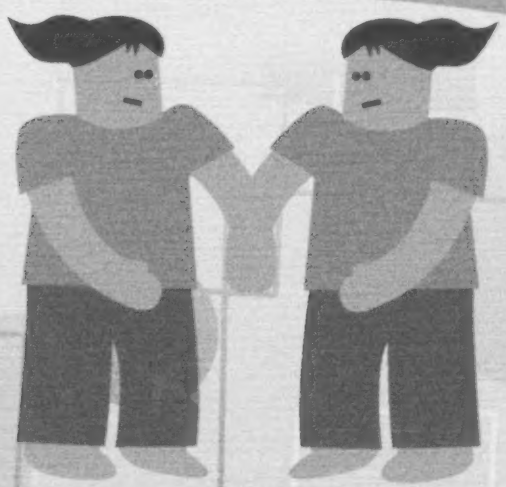
Sometimes it is necessary to tell people who can help your friend.

If your friend is hurt by things other people in the community are saying, support your friend.

If you cannot deal with what your friend is saying, if you cannot deal with the abuse, tell your friend it is too hard for you. If you cannot help, find someone who can.

What your friend has told you is private. It is not for everyone in the community to know. Only people who can help should know.

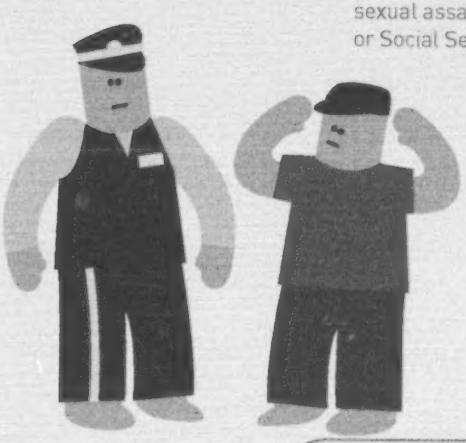
If others in the community are threatening to hurt your friend because they reported an assault, report this to the RCMP. It is against the law to threaten to hurt other people.



Remember,
your friend did not want to get hurt. Your friend did not want this.

reporting sexual assault

After you have talked to someone, report the sexual assault to a professional. Talking to someone will help you find support, but sexual assault is a crime, and it's important to report it to the RCMP or Social Services worker in your community.



reporting cases of sexual assault that have just happened

If you have been sexually assaulted:

- Call the RCMP or the Social Services worker as soon as possible
- Or call the health centre, community school counsellor or local victim services worker to help you make a report.

If someone has forced themselves on you sexually in any way:

- Do not take a bath or shower because this will wash away evidence.
- Do not throw away your clothes or wash the sheets or other things the RCMP might need as evidence in their investigation.
- Find a friend to help you.
- Go to the hospital or health centre for medical attention (see page 23 for more information).

If someone has tried to grab you, or has tried to assault you (refer to definition on page 7), it is important that you report what happened:

- Even if you have not been physically hurt or injured
- Even if you are not sure if you can tell who assaulted you
- Even if you have washed or showered
- Even if you were too afraid to report right away
- Even if you are afraid you can't remember everything that happened
- Even if you were drinking or using drugs

reporting cases of sexual assault that happened some time ago

If someone sexually assaulted you some time ago: Remember that what happened to you is not your fault. You have not done anything wrong and it is important to tell someone if you have been assaulted.

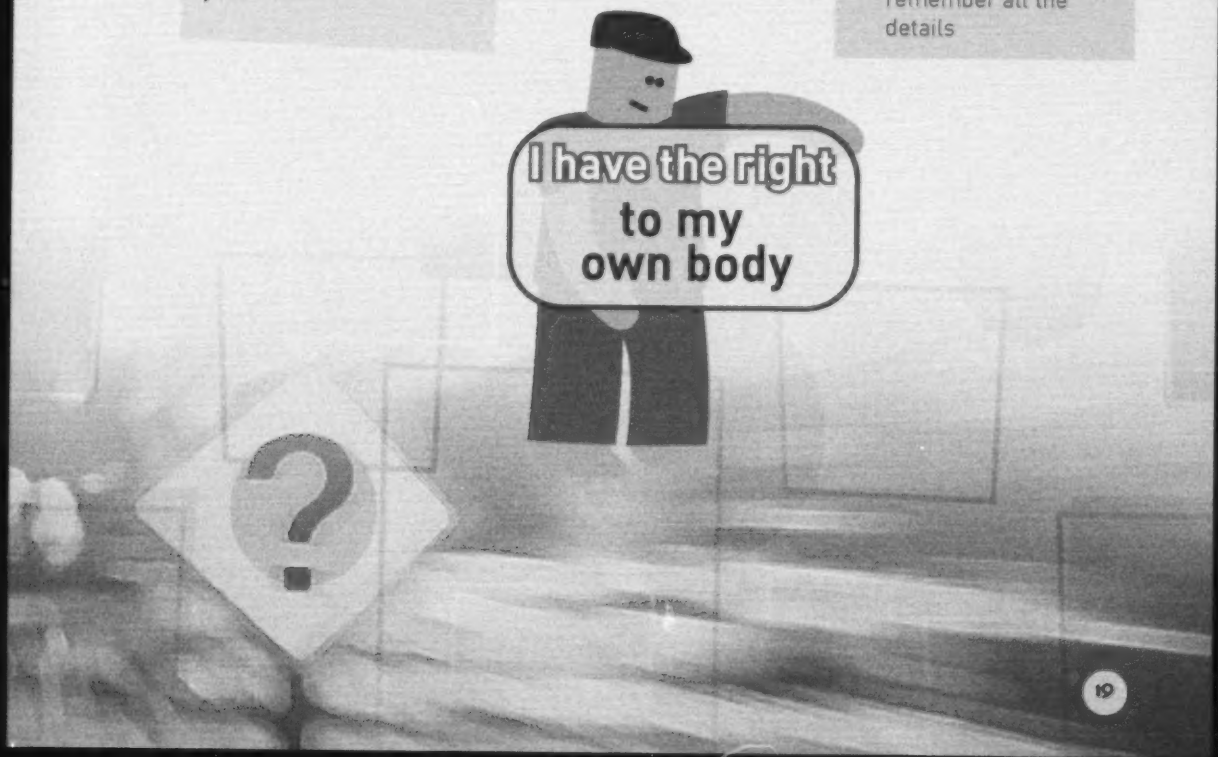
Talk to someone you know and trust and ask them to go with you when you report what happened to you.

You can call the RCMP or social worker and tell them what happened.

Or you can also call the health centre, community school counsellor or local victim services worker if you need someone to talk to.

You can still report a sexual assault even if it happened some time ago:

- Even if you can't remember everything that took place
- Even if you are not sure where the perpetrator is living
- Even if you think there is no evidence
- Even if you can't remember all the details



talking to the rcmp

The RCMP can help if you have been assaulted. Tell the RCMP who assaulted you, when and where it happened, and if anyone else was there. There might be other important things you remember.

When you go to the RCMP station, you will be asked to give a witness statement that may be videotaped or recorded. A witness statement is a record of what happened. It includes everything you can remember about the sexual assault.

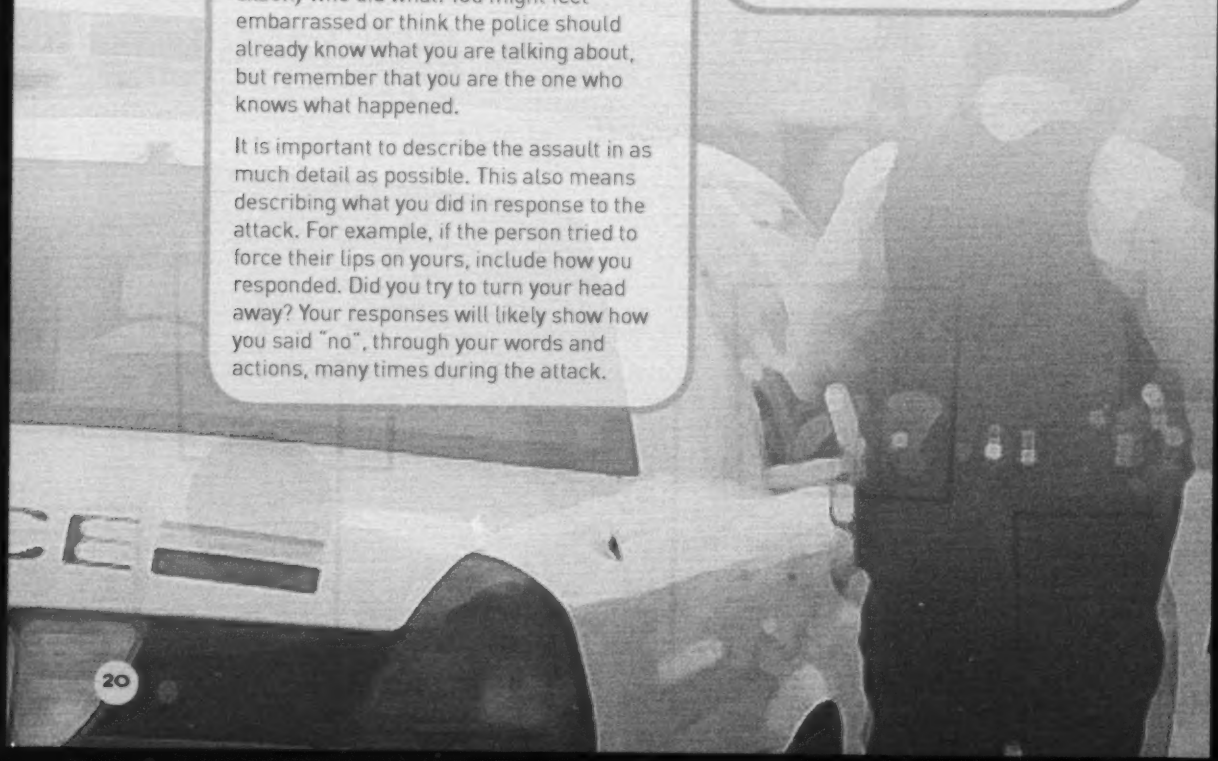
Your statement is the basis of the police investigation and may be used later in court. When you have made your statement, you will be asked questions about the assault. The questions, and your answers, may be recorded.

The RCMP will want to know the details about what happened. They need to know exactly who did what. You might feel embarrassed or think the police should already know what you are talking about, but remember that you are the one who knows what happened.

It is important to describe the assault in as much detail as possible. This also means describing what you did in response to the attack. For example, if the person tried to force their lips on yours, include how you responded. Did you try to turn your head away? Your responses will likely show how you said "no", through your words and actions, many times during the attack.

Be calm when you are giving your statement. Try to remember as many details as possible. If there is something you do not remember, say so. You might remember later on.

The questions, and your answers, will help the RCMP put together a picture of what happened. Sometimes it is helpful to write down all the details you can remember before going to the police.



what will the rcmp want to know?

Anything you tell the RCMP about the assault will help. Here are some of the things they may want to ask you or know about.

who assaulted you?

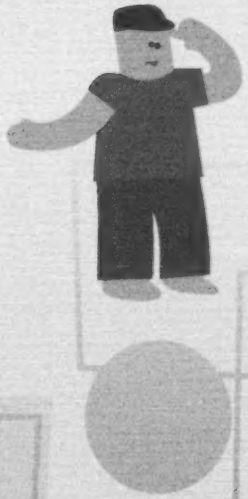
- Was there more than one person?
- What did the person look like?
- Do you know the name of the person who assaulted you?
- Do you know where the person lives?
- Is there anything else you remember about the person who assaulted you?

what was said?

- What did the person say to you?

were you threatened?

- Were verbal threats made or threatening gestures or actions used?



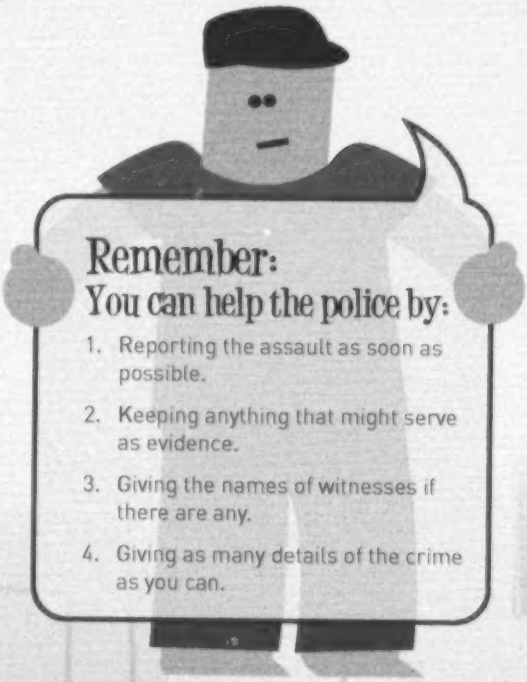
what happened?

- Where were you when this happened?
- When did this happen?
- What took place?
- Was a weapon involved?
- How were you sexually assaulted?
- How did you respond? What did you do?
- Were you forced to touch the person who assaulted you sexually?
- Were there any witnesses? Did anyone see or hear what happened?
- Were drugs or alcohol involved?

what is evidence in a sexual assault?

Certain types of evidence help the police to investigate sexual assault. These include blood stains, hair samples, clothes, sheets or physical marks (like bruises or cuts) that might have been caused if force was used. A doctor or nurse will help to collect the medical evidence. Evidence might also include a diary or journal page describing the assault, the names of witnesses or people who may have seen the assault, photographs or pictures that might have been taken, or a text message sent afterwards. Evidence is also what you and other people say about the assault.

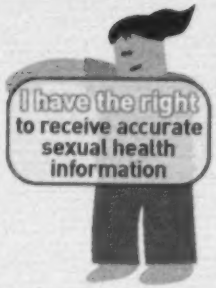
Sometimes there is very little evidence, or the evidence has been lost, destroyed, or washed away. Even if you feel that there is no physical evidence, you can still report the assault. If there is not enough evidence to go to court, it does not mean that no one believes you or that it didn't happen.



Remember:
You can help the police by:

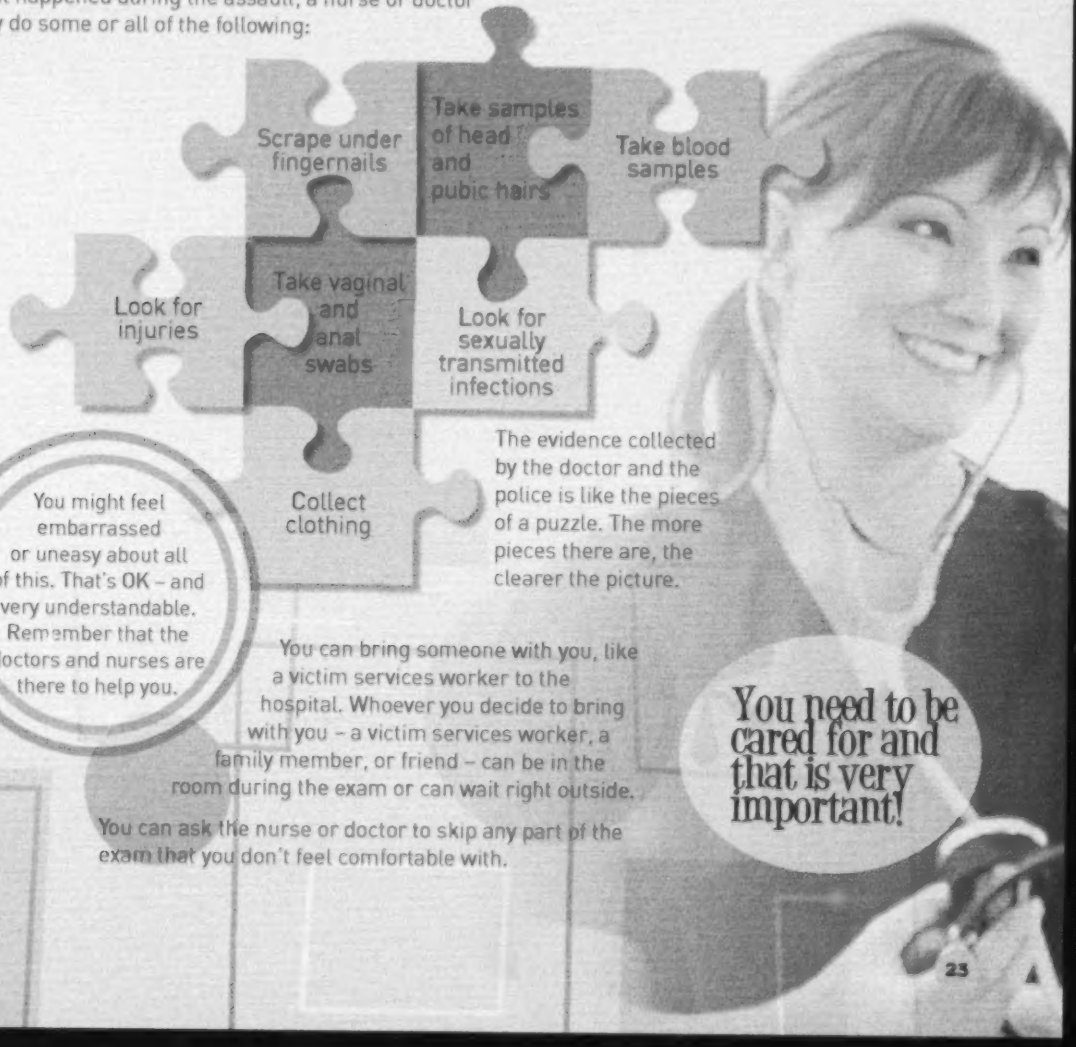
1. Reporting the assault as soon as possible.
2. Keeping anything that might serve as evidence.
3. Giving the names of witnesses if there are any.
4. Giving as many details of the crime as you can.

getting medical attention



Getting medical attention is very important for your health and safety. When you have been sexually assaulted you may have cuts, bruises, teeth marks or other injuries that need medical attention. You may have injuries that you cannot see, like a sexually transmitted infection or an unwanted pregnancy.

A Sexual Assault Evidence Kit (S.A.E.K) may be completed. Evidence from this kit will be used during the police investigation and court trial. The evidence completed for the S.A.E.K. should be collected before bathing, eating, drinking or going to the bathroom. Depending on what happened during the assault, a nurse or doctor may do some or all of the following:


Scrape under fingernails
Take samples of head and pubic hairs
Take blood samples
Look for injuries
Take vaginal and anal swabs
Look for sexually transmitted infections
Collect clothing
You might feel embarrassed or uneasy about all of this. That's OK – and very understandable. Remember that the doctors and nurses are there to help you.
The evidence collected by the doctor and the police is like the pieces of a puzzle. The more pieces there are, the clearer the picture.
You can bring someone with you, like a victim services worker to the hospital. Whoever you decide to bring with you – a victim services worker, a family member, or friend – can be in the room during the exam or can wait right outside.
You can ask the nurse or doctor to skip any part of the exam that you don't feel comfortable with.
You need to be cared for and that is very important!

talking to victim services

If you have been sexually assaulted...

Talk to your local victim services worker. They can provide you with:

- Information
- Assistance
- Support
- Referrals

Victim services workers can help you with:

- Safety planning
- Completing a Victim Impact Statement
- Going with you to the hospital
- Going with you to the RCMP station if you choose to report
- Going with you to court

A Victim Impact Statement is a written account of the harm or loss suffered by a victim of crime.

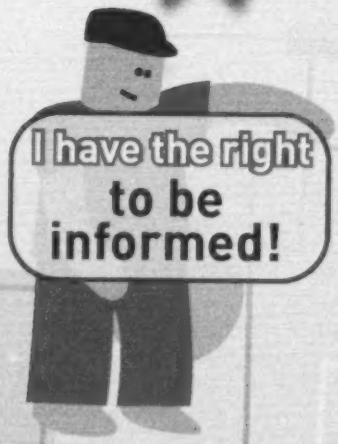
If you have to testify in court, you may be able to use a testimonial aid or a designated support person. A victim services worker can explain your options to you.

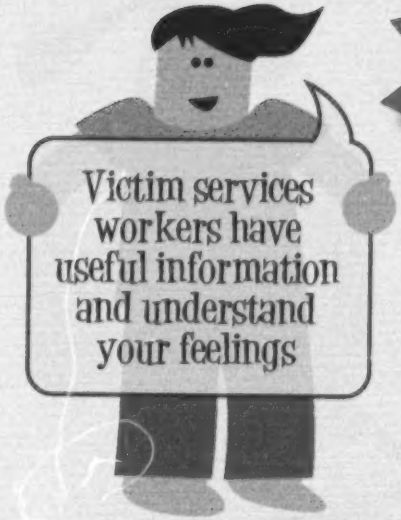
When can I get help?

- You can get help right after the offence,
- Throughout the court process, and;
- As long afterwards as you need.

What if my community doesn't have Victim Services?

- Even if you live in a community that doesn't have local Victim Services, a victim services worker can still provide information and support over the phone.





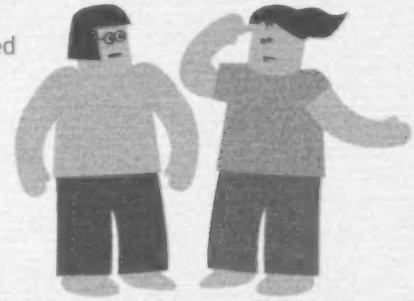
Don't want to report the sexual assault? Victim Services can still help!

Find the **NWT Victim Services** phone numbers in the Help Directory on page 35.

THE LAW AND SEXUAL ASSAULT part 4

what you should know

In Canada, there are specific laws about sexual assault and sexual abuse against children and teenagers. These laws are used to protect children or help remove them from abusive situations. Some of these laws concern the use of force or violence during sexual activity; others involve sexual acts within the family or with young children. The laws on sexual assault are briefly explained here to help you understand these crimes.



Sexual activity without consent is always a crime, no matter what age the victim is. For more information on consent, see page 10.

sexual offences and other forms of sexual abuse

There are several different kinds of sexual crimes that are acts of sexual abuse. Words such as 'rape' are no longer used in law and have been replaced by other terms. Sexual offences are briefly described here to help you understand the law and sexual crimes.

Sexual Assault
Any sexual contact with another person without that person's consent.

Sexual Interference
This is when a person touches the body of a person under the age of 16, directly or indirectly (for example, with an object), for a sexual purpose.

Householder Permitting Sexual Activity
This is when the owner or manager of a place knowingly allows anyone under the age of 18 to become involved in illegal sexual activity.

Sexual Assault with a Weapon, Threats, or Causing Bodily Harm
This is a serious offence. It involves situations where a sexual assault is committed while carrying or using a weapon, threatening or causing bodily harm.

Indecent Acts/ Exposing Genitals
This covers situations where a person exposes his/her private parts.

Sexual Exploitation
This law is used in cases involving children over 16 years of age, but under 18. This is for cases involving a person in a position of trust or authority over the child, such as a parent, guardian, babysitter, or teacher.

Aggravated Sexual Assault
This involves situations where the life of the victim is endangered during a sexual assault or where the victim is wounded or seriously hurt. This is a very serious offence with a maximum penalty of life imprisonment.

Invitation to Sexual Touching
This is when a person encourages a child under 16 years of age to touch the child's own body or someone else's body for a sexual purpose. The touching can be with a part of the body, or with an object.

Parent or Guardian Procuring Sexual Activity of a Child
This is when a parent or guardian gets a child under the age of 18 involved in illegal sexual activity.

Living Off Prostitution
This is when a person lives off the profits from prostitution, including anyone under 18 years of age.

Incest
This involves having sexual intercourse with a blood relative, including a parent, child, brother, sister, half-sister, half-brother, grandparent, or grandchild. This is a serious offence with a maximum penalty of 14 years in prison.

you and the law

if i tell the police i was raped, shouldn't they know what i am talking about?

In Canada, "rape" is no longer the word used in the criminal justice system, but the police will know what you mean. It is very important, however, that the police understand if force was used in the assault, if a relative was involved, or the kinds of sexual offences that took place. When you talk about what happened, give as many details as possible. Because people have different definitions for common words or phrases, it is important to be clear on exactly what you mean when telling someone what happened.

the law seems to talk about consent or permission. if i was sexually assaulted but wasn t able to fight back, does that mean i consented?

To give your consent, you have to be able to make a choice and decide freely about what you want to do. If you had no choice or were too afraid, or felt too threatened to fight back, your consent was not freely given. Just because you did not say "no", that does not mean you said "yes".

if i was assaulted in edmonton, would the same laws apply even though i now live in the northwest territories?

YES. The laws about sexual assault are the same everywhere in Canada.

if i consented before to have sex with my partner, can i change my mind?

Yes, you can always change your mind. Consenting in one time and place does not carry over to the next time. You have to consent every time you have sex.

if i make out with my partner, does that mean i've consented to have sex with them?

No. Consenting to one thing does not mean you consent to everything. Just because you consent to make out with someone does not mean you have to do anything else that you don't feel comfortable with.

if someone tried to sexually assault me and i was able to get away, should i still report this? is trying to sexually assault someone against the law?

The answer to both questions is yes. If someone tries to assault you, they can be charged with attempted assault.

are there laws to protect the person who was assaulted?

There are a number of laws that protect the rights of the victim when they go to court. For example, there are laws that allow the judge to make sure your name will not be on the radio or in the newspaper if you are a victim of sexual assault.

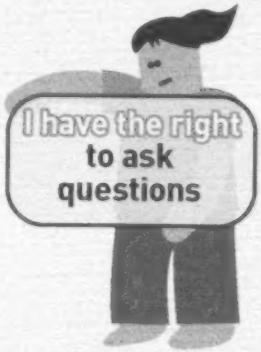
going to court

Some sexual assault cases are taken to criminal court. In the Northwest Territories, this court might be held in your community or in the community where the assault took place. Court is sometimes held in the hotel, community hall or in the courthouse (if there is one) in your community.

There are many reasons why some sexual assault cases do not go to trial. It could be that there was not enough evidence and the police were not able to lay charges, or the accused person has decided to plead guilty to the crime. If your case does not go to trial because of a lack of evidence, it is not your fault. You did nothing wrong and it doesn't mean that no one believes you. If, however, the case goes ahead and you have to go to court, these are some of the things you might want to know:

How will I know if and when I have to go to court?

A subpoena (pronounced sa-peena) will be given to you. It is an order of the court telling you the exact date, place and time to be in court. The Crown prosecutor who will be handling your case, or the Crown witness coordinator who works with the Crown prosecutor, might also get in touch with you before the court date to go over your witness statement/evidence.

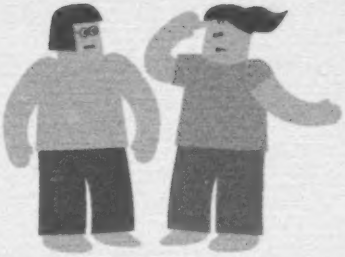


Do I have to testify in court?

When you go to court you are a witness and what you have to say is very important. The Crown prosecutor and the lawyer for the accused person will ask you questions. If you have been served with a subpoena and you refuse to go to court or testify, the judge will decide what happens next.

Who will be in the courtroom? Will people from the community be there?

The court is open to the public unless the judge orders the public to leave the court room. In addition to friends, family or community people, there will also be other people in the courtroom...



Judge

A person with the authority to hear evidence and decide cases in court. When speaking to the judge, address him or her as "Your Honour."

Court Clerk

This person helps the judge with various courtroom duties, like paperwork.

Court Reporter

This person operates a small machine to record everything that is said in court.

Sheriff

This person is responsible for keeping everyone safe in the courtroom. The Officer will also escort the accused to and from the courtroom if they are in custody (jail).

Accused

The person who is charged with a crime.

Defence Lawyer

This person is the lawyer for the accused. His or her job is to find every possible reason why the court should find the accused "not guilty". The defence lawyer will ask questions that might confuse or anger you. Just remember to tell the truth.

Jury

In some cases, the judge will be assisted by 12 other people who become the jury. The jury listens to the evidence presented at a trial, listens to the judge's instructions on how to apply the law and then decides whether the person is guilty or not guilty.

Crown Prosecutor

This person is not your lawyer. You are a witness for the Crown prosecutor. They will present the facts about the crime to the court. The Crown prosecutor will ask you questions during the trial. He or she is there to help you and answer any questions you might have about court.

Press

Reporters may be in the courtroom. They cannot take pictures. Reporters are not allowed to report the names of victims of sexual offences.

Cross Witness Coordinator

This person works with the Crown prosecutor, goes over your witness statement with you and helps to prepare you to testify in court.

Victim Services Worker

A victim services worker can be there in the court room with you, and may even be able to sit with you as a designated support person. A designated support person doesn't have to be from Victim Services; it can be a friend or family member who sits beside you while you testify. Talk to the Crown prosecutor if you think this would help you testify.

being a witness

Being a witness can be really hard. Here are some things to remember when you testify:

Take some deep breaths before you start.

Take your time answering the questions. If you don't know the answer, or don't remember, say so.

If you don't understand the question you are being asked, tell the lawyer you don't understand.

Do not discuss the things you said in court with anyone else who is a witness.

Speak clearly when answering questions. Say "yes" or "no" rather than nodding your head. The court reporter needs to hear your words.

If you need a glass of water or a Kleenex when you are testifying, ask for one.

Sometimes you will be asked the same question a number of times. Try not to get angry, just answer truthfully.

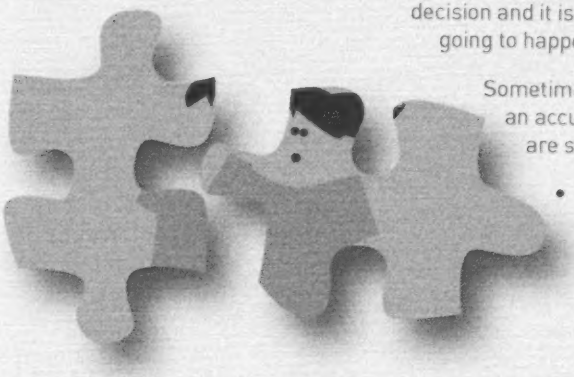
If you only remember bits and pieces of what happened, tell the court what you remember.

Some words might be embarrassing to say or it might be hard to describe some of the things that happened to you. Explain what took place as best you can, so the judge can understand what has happened to you. What you say will help put the pieces of the puzzle together so the judge and the jury can understand what took place.

what might happen in court

When sexual assault cases go to court, many things can happen. Sometimes the court decides that the accused person is guilty of the charge.

In other cases, there may not be enough evidence and the person is acquitted, meaning the court decides that the accused person is not guilty. In some cases, the court may reach a decision and it is later appealed. If an appeal is going to happen, it will be explained to you.



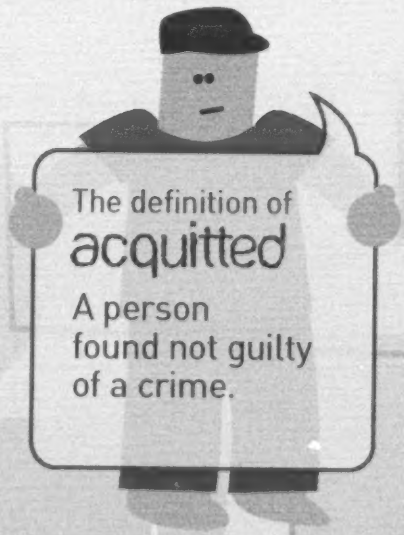
Sometimes it is difficult to understand why an accused person is found not guilty. Here are some things you should know:

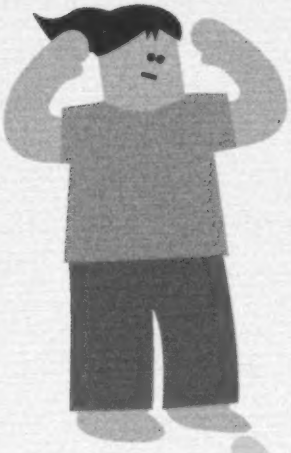
- In Canada, the law says that a person accused of a crime is **INNOCENT** until proven guilty.
- In the courts in Canada, it must be proven **BEYOND A REASONABLE DOUBT** that the person committed the crime in order to be found guilty.

For the court, it is something like putting a puzzle together. The Crown prosecutor tries to make all the pieces fit by asking the witnesses questions. The defence lawyer may ask many of the same questions.

When enough pieces of the puzzle don't fit, it is then difficult for the court to say **BEYOND A REASONABLE DOUBT** that the crime was committed.

You may want the accused person to be sent to jail or ordered into counselling. Sometimes these things do not happen and the accused person is found **NOT GUILTY** and set free.





for victims of sexual assault, a finding of not guilty might make them feel that:

Nobody believed them even though they told the truth.

The Crown prosecutor didn't fight hard enough.

They found the strength to stand up and say NO to being hurt.

Even though the court said there was not enough evidence to prove guilt beyond a reasonable doubt, they and the violent person know what really happened.

Don't feel like you lost or that no one believed you. Be proud of yourself. Children, youth and adults all have a hard time going through the court system – you were strong and did the best you could!

BEYOND COURT part5

In many ways, the court process is geared more toward the accused than the victim. The accused will be found guilty or not guilty, and if he or she is guilty, will be sentenced. If you are the victim, you will likely need more than this to heal. Relying on what happens in court could leave you feeling disappointed or unfulfilled.

After your court case, whether or not the accused is found guilty, you may still want support and someone to talk to.

Your victim services worker will support you for as long as you want help after your court date. Victim Services can keep you up to date on any information about the case. For example, if you are interested in applying to the National Parole Board for information about the offender, Victim Services can help you to fill out the request forms. They can also connect you with counselling and other service agencies within the community that can support you.

There are other ways to find support in the community and support yourself. There are activities that you can get involved with or re-involved with, like sports teams, yoga classes, or clubs. You may also find that you want to connect with family and friends. They will be there to support you and help you.

Dealing with a sexual assault is not easy and nobody's experience is exactly the same as someone else's. You may feel great one day and really low the next. Maybe six months later, you will feel really down all of a sudden and want someone to talk to. Maybe a year later, you will feel that you have learned a lot from this experience, and would like to help others. Maybe you will feel that all you want to do is forget it ever happened. All of this is okay. Even if you feel strange, all of your reactions are normal. It is what happened to you that is neither normal nor okay. It is never too late to ask for help, even if you felt you didn't need help before. It's also never too late to change your mind about the kind of help you want. You know yourself better than anybody and it's your right to choose your own path.

HELP DIRECTORY part 6

If you need immediate assistance go to your local RCMP or health centre.

rcmp

Dial your local prefix + 1111

For example: In Inuvik: 777-1111
or Whati: 573-1111

legal aid

867-873-7450

victim services

Behchoko:	867-392-6014
Fort Good Hope:	867-598-2247
Fort Simpson:	867-695-3136
Fort Smith:	867-872-3520
Hay River:	867-874-4001
Inuvik:	867-777-5493
Yellowknife:	867-920-2978 or 867-669-1490 (24-hour emergency cell phone)

tele-care nwt

You can call this number from anywhere in the Northwest Territories, 24 hours a day, 7 days a week.

1-888-255-1010

1-888-255-8211 (TDD/TTY)

alison mcateer house
Yellowknife, NT
Business Phone: 867-669-0235
24-Hour Crisis Line: 867-873-8257
Toll free: 1-866-223-7775

family support centre/safe home network
Hay River, NT
Phone: 867-874-3311
24-Hour Crisis Line: 867-874-6626

inuvik transition house society
Inuvik, NT
Phone: 867-777-3877

sutherland house women and children s safe shelter
Fort Smith, NT
24-Hour Crisis Line: 867-872-5925
Toll Free: 1-877-872-5924

aimayunga women and emergency foster care shelter
Tuktoyaktuk, NT
Phone: 867-977-2000

stanton territorial hospital
Yellowknife, NT
Phone: 867-669-4100

hh williams memorial hospital
Hay River, NT
Phone: 867-874-7100

inuvik regional hospital
Inuvik, NT
Phone: 867-777-8000

online resources

www.justice.gov.nt.ca/VictimServices/index.shtml
Government of the Northwest Territories, Victim Services information

www.respectyourself.ca

www.sexualityandu.ca

www.kidsintheknow.ca

www.cybertip.ca

www.internet101.ca

www.kidshelpphone.ca

www.familyviolencehurts.gc.ca

www.loveyougive.org

www.ayn.ca

www.thatsnotcool.com

www.courtprep.ca

www.courtchoices.ca

www.orcc.net

kids helpline

1-800-668-6868